



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0766

Introduced 2/9/2009, by Rep. Constance A. Howard

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-3.5 new

Amends the Illinois Public Aid Code. Provides that an inmate of a penal institution maintained by the State or a unit of local government may qualify for medical assistance only after he or she has ceased to be an inmate of such an institution, but the inmate may apply for medical assistance in advance of his or her discharge or release from the institution. Provides that a recipient of medical assistance who becomes an inmate of a penal institution may be permitted a period of up to 30 days in the institution without suspension or termination of eligibility for medical assistance. Provides that within a reasonable time after the discharge or release of a person who was an inmate of a penal institution, the Department of Healthcare and Family Services shall redetermine the person's eligibility for medical assistance. Effective immediately.

LRB096 09065 DRJ 19206 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-3.5 as follows:

6 (305 ILCS 5/5-3.5 new)

7 Sec. 5-3.5. Inmate of penal institution; eligibility.

8 (a) An inmate of a penal institution maintained by the  
9 State or a unit of local government may qualify for aid under  
10 this Article only after he or she has ceased to be an inmate of  
11 such an institution, but the inmate may apply for aid under  
12 this Article in advance of his or her discharge or release from  
13 the institution. Whenever the Department of Healthcare and  
14 Family Services receives an application for aid under this  
15 Article from an inmate who is scheduled for discharge or  
16 release from a penal institution, the Department shall process  
17 the application in an expeditious manner. For an inmate whose  
18 application is approved by the Department, the date of  
19 eligibility for aid under this Article shall be the date of the  
20 inmate's discharge or release from the institution.

21 (b) A recipient of aid under this Article who becomes an  
22 inmate of a penal institution maintained by the State or a unit  
23 of local government may be permitted a period of up to 30 days

1 in the institution without suspension or termination of his or  
2 her eligibility for aid under this Article. If the inmate's  
3 incarceration extends beyond 30 days, his or her eligibility  
4 for aid under this Article shall be suspended. The inmate's  
5 eligibility shall be restored as of the date of his or her  
6 discharge or release from the institution.

7 (c) Within a reasonable time after the discharge or release  
8 of a person who was an inmate of a penal institution, the  
9 Department shall redetermine the person's eligibility for aid  
10 under this Article.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.